

(ANx), CLOSED, DISCOVERY, FOIA

**UNITED STATES DISTRICT COURT for the CENTRAL DISTRICT OF
CALIFORNIA (Southern Division – Santa Ana)
CIVIL DOCKET FOR CASE #: 8:11-cv-01389-JST -AN**

Avinash B Kulkarni v. DOES
Assigned to: Judge Josephine Staton Tucker
Referred to: Magistrate Judge Arthur Nakazato
Related Case: 8:12-cv-00980-JST-AN
Cause: 05:552 Freedom of Information Act

Date Filed: 09/12/2011
Date Terminated: 12/14/2011
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: Federal Question

Petitioner

Avinash B Kulkarni
Victim Petitioner Pro Se

represented by **Avinash B Kulkarni**
826 Applewilde Drive
San Marcos, CA 92078
858-344-0237
PRO SE

V.

Respondent**DOES***TERMINATED: 09/28/2011***Respondent**

United States Department of State
(USDOS)

represented by **David E Pinchas**
AUSA – Office of US Attorney
Civil Division
300 North Los Angeles Street Suite 7516
Los Angeles, CA 90012
213-894-2920
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Email: usacac.civil@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/12/2011	<u>1</u>	PETITION filed against DOES for Release of United States Department of State Non-Personal Records Containing Evidence of Abduction of Petitioners Child Outside the United States (Filing fee \$ 350 PAID) filed by Petitioner Avinash B Kulkarni.(ln) (Entered: 09/14/2011)
09/12/2011	<u>2</u>	CERTIFICATION AND NOTICE of Interested Parties filed by Petitioner Avinash B Kulkarni, identifying Other Affiliate U S Department of State for Avinash B Kulkarni. (ln) (Entered: 09/14/2011)
09/20/2011	<u>3</u>	APPLICATION for Issuance of an Order to the United States Department of State to release information under seal; Permission to file sealed information filed by petitioner Avinash B Kulkarni. Lodged proposed order. (twdb) (Entered: 09/21/2011)
09/27/2011	<u>4</u>	MINUTES (IN CHAMBERS): ORDER by Judge Josephine Staton Tucker: (1) DISMISSING COMPLAINT(Doc. 1); AND (2) DENYING AS MOOT APPLICATION FOR ORDER (Doc. 3): Accordingly, Plaintiff's Complaint (Doc. 1) is DISMISSED with leave to amend. Plaintiff shall file an amended complaint no later than October 26, 2011. If Plaintiff files an amended Complaint, he must include in the caption the name of each defendant against whom he is asserting a claim, Fed. R. Civ. P. 10(a), and set forth in the body of the complaint "a short and

		plain statement of the claim" he is asserting against each defendant, Fed. R. Civ. P. 8(a)(2). Failure to file an amended complaint by October 26, 2011, shall be deemed consent to the dismissal of this action with prejudice. (rla) (Entered: 09/27/2011)
09/28/2011	<u>5</u>	FIRST AMENDED COMPLAINT against respondent United States Department of State; Party DOES terminated amending Petition (case opening) <u>1</u> , filed by petitioner Avinash B Kulkarni (Attachments: # <u>1</u> summons)(twdb) (Entered: 09/29/2011)
09/28/2011		60 DAY Summons Issued re Amended Complaint <u>5</u> as to petitioner United States Department of State. (twdb) (Entered: 09/29/2011)
10/04/2011	<u>6</u>	INITIAL STANDING ORDER by Judge Josephine Staton Tucker, for cases assigned to Judge Josephine Staton Tucker. PLEASE READ THIS ORDER CAREFULLY. IT GOVERNS THIS CASE AND DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES. (dro) (Entered: 10/05/2011)
10/07/2011	<u>7</u>	PROOF OF SERVICE filed by petitioner Avinash B Kulkarni, re FAC for release of USDOS non personal information served on 9/28/11. (twdb) (Entered: 10/07/2011)
10/07/2011	<u>8</u>	PROOF OF SERVICE ACKNOWLEDGMENT OF SERVICE filed by petitioner Avinash B Kulkarni, served on 9/28/11. (twdb) (Entered: 10/07/2011)
10/07/2011	<u>9</u>	PROOF OF SERVICE filed by petitioner Avinash B Kulkarni, re FAC for release of USDOS non personal information served on 9/28/11. (twdb) (Entered: 10/07/2011)
10/24/2011	<u>10</u>	PROOF OF SERVICE by mail filed by petitioner Avinash B Kulkarni, re initial standing Order <u>6</u> served on 10/8/11. (twdb) (Entered: 10/25/2011)
11/08/2011	<u>11</u>	NOTICE OF MOTION AND MOTION to Dismiss Case <i>Memorandum of Points and Authorities; Declaration of David Pinchas</i> filed by Defendant United States Department of State. Motion set for hearing on 12/12/2011 at 10:00 AM before Judge Josephine Staton Tucker. (Attachments: # <u>1</u> Exhibit 1 (pages 7 – 10), # <u>2</u> Exhibit 2 (page 11), # <u>3</u> Exhibit 3 (pages 12 – 13), # <u>4</u> Proposed Order Granting Federal Defendant's Motion to Dismiss, # <u>5</u> Proof of Service)(Pinchas, David) (Entered: 11/08/2011)
11/10/2011	<u>12</u>	ORDER setting scheduling conference by Judge Josephine Staton Tucker. READ THIS ORDER CAREFULLY. IT DIFFERS IN SOME RESPECTS FROM THE LOCAL RULES. (Scheduling Conference set for 2/13/2012 01:30 PM before Judge Josephine Staton Tucker.) (twdb) (Entered: 11/14/2011)
11/21/2011	<u>14</u>	REQUEST for Permission to File Supplemental Response to Defendant's Reply for Motion to Dismiss filed by Plaintiff Avinash B Kulkarni. (nbo) (Entered: 11/28/2011)
11/21/2011	<u>15</u>	PROOF OF SERVICE filed by Plaintiff Avinash B Kulkarni, re REQUEST for Permission to File Supplemental Response to Defendant's Reply for Motion to Dismiss <u>14</u> served on 11/19/2011. (nbo) (Entered: 11/28/2011)
11/21/2011	<u>17</u>	RESPONSE to respondent's MOTION to Dismiss Case <u>11</u> filed by Petitioner Avinash B Kulkarni. (Attachments: # <u>1</u> part 2, # <u>2</u> part 3)(twdb) (Entered: 11/29/2011)
11/22/2011	<u>16</u>	ORDER by Judge Josephine Staton Tucker: denying <u>14</u> Request for Leave to file supplemental response to defendant's reply for motion to dismiss. (twdb) (Entered: 11/29/2011)
11/22/2011	<u>18</u>	NOTICE OF DISCREPANCY AND ORDER: by Judge Josephine Staton Tucker, ORDERING Plaintiff's Response to Defendants Motion to Dismiss; Plaintiff's Request for Permission to File Supplemental Response to Defendant's Reply submitted by Petitioner Avinash B Kulkarni received on 11/18/11 is not to be filed but instead rejected. Denial based on: No Proof of Service attached to document. (Attachments: # <u>1</u> 1, # <u>2</u> 2) (ade) (Entered: 11/30/2011)

11/23/2011	<u>13</u>	REPLY in Support MOTION to Dismiss Case <i>Memorandum of Points and Authorities; Declaration of David Pinchas</i> <u>11</u> filed by Respondent United States Department of State. (Attachments: # <u>1</u> Proof of Service)(Pinchas, David) (Entered: 11/23/2011)
11/29/2011	<u>19</u>	REPLY To Defendant's Opposition to Plaintiff's Request to File Supplemental Response. Filed by Petitioner Avinash B Kulkarni. (ade) (Entered: 12/01/2011)
11/29/2011	<u>20</u>	Proof Of Service OF SERVICE filed by plaintiff Avinash B Kulkarni, re Reply (Motion related) <u>19</u> served on 11/28/11. (ade) (Entered: 12/01/2011)
12/08/2011	<u>21</u>	MINUTE ORDER IN CHAMBERS by Judge Josephine Staton Tucker: Order continuing defendant's motion to dismiss <u>11</u> .(Motion set for hearing on 12/19/2011 at 10:00 AM before Judge Josephine Staton Tucker.) (twdb) (Entered: 12/08/2011)
12/13/2011	<u>22</u>	EX PARTE APPLICATION to Continue hearing date on motion to dismiss from 12/19/2011 to 01/09/2012 Re: Minutes of In Chambers Order/Directive – no proceeding held, Set/Reset Motion Hearing and RRDeadlines <u>21</u> filed by Defendant United States Department of State. (Attachments: # <u>1</u> Proposed Order Granting Federal Defendant's Ex Parte Application to Continue Hearing Date of Motion to Dismiss, # <u>2</u> Proof of Service)(Pinchas, David) (Entered: 12/13/2011)
12/14/2011	<u>23</u>	MINUTES (IN CHAMBERS): ORDER by Judge Josephine Staton Tucker: (1) GRANTING DEFENDANT'S MOTION TO DISMISS (DOC. 11), AND (2) DENYING AS MOOT DEFENDANT'S EX PARTE APPLICATION (DOC. 22)(MD JS–6. Case Terminated); (rla) (Entered: 12/14/2011)
12/14/2011	<u>24</u>	OPPOSITION to defendant's EX PARTE APPLICATION to Continue hearing date on motion to dismiss <u>22</u> filed by Petitioner Avinash B Kulkarni. (twdb) (Entered: 12/15/2011)
12/14/2011	<u>25</u>	PROOF OF SERVICE by mail filed by petitioner Avinash B Kulkarni, re Objection/Opposition (Motion related) <u>24</u> served on 12/14/11. (twdb) (Entered: 12/15/2011)